

SEC. 3. Any act that may be passed extending the time for the completion of said lines of railroad, or either of them, or continuing, renewing, or making a new or further grant of lands to aid in the construction of said lines of railroad, or either of them shall be subject to the provisions of this act in respect to the lands aforesaid, and this act shall not be construed as repealed or modified by any subsequent act, unless by express reference to the same, and in direct terms.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 21, 1874.

CHAPTER CVI.

AN ACT TO EXTEND THE TIME FOR THE COMPLETION OF BRANCH LINES OF RAILROADS OF THE ST. PAUL AND PACIFIC RAILROAD COMPANY.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That the time for grading and completion by the St. Paul and Pacific Railroad Company, in accordance with the change of such branch lines authorized in and by an act of congress of the United States, passed March third, A. D. eighteen hundred and seventy one, entitled "an act authorizing the Saint Paul and Pacific Railroad Company to change its lines in consideration of a relinquishment of lands." be and the same is hereby extended as is hereinafter provided; and the said company so completing the said lines within the times in this act limited, and upon the terms and conditions hereinafter contained, shall have and be entitled to the grant of lands in any act of congress heretofore made and provided in relation thereto, or to any extension of said grant of lands hereafter made by congress to said company, or to the state of Minnesota. And the company so completing said lines in accordance with the terms and conditions of this act, shall have and be entitled to all and singular the same rights, privileges, immunities, lands, and property, as if such lines had been constructed and put in operation fully equipped for business within the time heretofore limited by law for the same, except as modified and changed by the provisions of this act.

SEC. 2. The foregoing extension of time is hereby granted to said railroad company only upon the conditions following, that is to say :

First.—That the branch line from Sauk Rapids to Brainerd shall be by said company completely finished, equipped and in operation through its whole length on or before the first day of December, A. D. eighteen hundred and seventy-four.

Second.—That the branch line from St. Cloud to St. Vincent shall be constructed and operated “via” Sauk Centre, Osakis, Alexandria and Fergus Falls, as follows: From Melrose in Stearns county, to Alexandria in Douglas county, on or before the first day of December, A. D. eighteen hundred and seventy-four; from Alexandria to Fergus Falls, in Otter Tail county, on or before the first day of July, A. D. eighteen hundred and seventy-five, and from Fergus Falls via Glyndon and Crookston, to Saint Vincent, on or before the first day of December, A. D. eighteen hundred and seventy-five.

Third.—That all persons or their assigns or legal representations [representatives,] who in good faith settled upon any of the lands granted to said company for the construction of said branch lines of road, at or prior to the first day of January, A. D. eighteen hundred and seventy-two, and who have continued to occupy the same, shall be allowed to perfect their title thereto upon application to said company after it has acquired title thereto, upon the terms and conditions imposed by the laws of the United States as to fees, price and proofs, had not said grant been made to said company; *Provided*, That application therefor shall be made to said company within six months after the fee of said land shall be acquired by said company, *And provided also*, That said applicant shall within the time fixed by law and by proper proof, and the payment to the company of the fees or price for land as provided by law in case of settlers upon the public lands of the United States, establish his claim and right thereto.

Fourth.—The said railroad company and its successors or assigns shall transport passengers and freights over its lines constructed under the provisions of this act as also upon the lines and branch lines now constructed at such just and reasonable rates as the legislature of Minnesota may from time to time prescribe.

Fifth.—No lands shall be deeded to said company by the governor of this state, until the sections of said lines between Melrose and Fergus Falls and Sauk Rapids and Brainerd are both fully completed and in operation as herein set forth.

Sixth.—In case of failure on part of said company to construct, equip and put in operation said extension lines as is herein expressly provided, all parts remaining unfinished with the grants of

lands pertaining thereto and all the rights, privileges, franchises, immunities, lands and property attaching to said uncompleted parts by reason of any law of this state or of the United States or by reason of any act or deed of said company shall be absolutely forfeited to the state without any other act or ceremony whatever and shall not thereafter enure in any way to the Saint Paul and Pacific railroad company but shall be forfeited to the state of Minnesota for further disposition as is hereinafter provided.

Eighth. [Ninth.]—The said company shall within four months after the approval of this act accept all the terms and conditions thereof by a resolution of its board of directors or of the receiver of said company; a copy of which resolution duly authenticated shall be sent to the governor of this state to be by him filed in the office of the secretary of state.

SEC. 3. All acts and parts of acts relating to the lines of railroad hereinbefore specified which in any manner conflict with the provisions of this act are hereby repealed. But this act shall not be construed as repealing or in anywise modifying the act entitled an act to secure the payment of certain debts contracted in the construction of certain lines of road of the Saint Paul and Pacific railroad company, “approved February twenty-first, A. D. eighteen hundred and seventy-four.”

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 5, 1874.

CHAPTER CVII.

AN ACT TO AMEND CHAPTER LXXXVI, OF THE SPECIAL LAWS OF EIGHTEEN HUNDRED AND SIXTY-FOUR, ENTITLED AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE BALDWIN SCHOOL IN THE CITY OF SAINT PAUL, APPROVED FEBRUARY TWENTY-SIXTH, EIGHTEEN HUNDRED AND FIFTY-THREE, AND ALSO TO AUTHORIZE THE BOARD OF TRUSTEES OF THE COLLEGE OF SAINT PAUL TO TRANSFER AND CONVEY ITS PROPERTY AND FRANCHISES TO THE SAME, APPROVED MARCH THIRD, EIGHTEEN HUNDRED AND SIXTY-FOUR.

Be it enacted by the Legislature of the State of Minnesota: